

USSN 10/084,640



Atty. Dkt. No. 047940-0139

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: *Koichi MASUDA et al.*

Title: ENGINEERED INTERVERTEBRAL  
DISC TISSUE

Appl. No.: 10/084,640

Filing Date: 2/25/2002

Examiner: David M. Naff

Art Unit: 1651

<p><b>CERTIFICATE OF MAILING</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.</p> <p>Kathryn E. Cox (Printed Name)</p> <p><i>Kathryn E. Cox</i> (Signature)</p> <p>March 18, 2005 (Date of Deposit)</p>
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**AMENDMENT AND REPLY UNDER 37 CFR 1.111**

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Non-Final Office Action dated December 20, 2004, concerning the above-referenced patent application. The three month shortened statutory period for responding to this Office Action is set to expire on March 20, 2005. Therefore, Applicants believe this response is timely filed. No fee is believed due for this response; however, should a fee be due, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2350.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this document.

**Remarks/Arguments** begin on page 8 of this document.

Please amend the application as follows: